

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

Veolia ES Technical Solutions, LLC
7 Mobile Avenue
Sauget, Illinois 62201

ATTENTION: Douglas Harris
General Manager

Request to Provide Information Pursuant to the Clean Air Act

The U.S. Environmental Protection Agency (U.S. EPA) is requiring Veolia ES Technical Solutions, LLC (Veolia or you) to submit certain information about your hazardous waste incinerators at 7 Mobile Avenue, Sauget, Illinois. Appendix B specifies the information that you must submit. You must send this information to us according to the schedule in Appendix B.

We are issuing this information request under section 114(a) of the Clean Air Act (Act), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of U.S. EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

Veolia owns and operates an emission source three hazardous waste incinerators at its Sauget, Illinois, facility. We are requesting this information to determine whether your emission source is complying with the National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors, 40 C.F.R. Part 63, Subpart EEE (hereinafter, "the HWC MACT").

You must send all required information to:

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch

U.S. Environmental Protection Agency
Region 5
77 W. Jackson Boulevard, AE-17J
Chicago, Illinois 60604

With copies to the Illinois Environmental Protection Agency:

Ray Pilapil, Manager
Compliance and Enforcement Section Bureau of Air
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Springfield, Illinois 62702

You may consider the information confidential that you submit to us. You may assert a claim of business confidentiality for any portion of the submitted information under 40 C.F.R. Part 2, Subpart B. Appendix A specifies the assertion and substantiation requirements for business confidentiality claims.

Veolia must submit all requested information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

We may use any information submitted in response to this request in an administrative, civil, or criminal action.

This request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 et seq., because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation. To aid in our electronic record keeping efforts, please provide your response to this

request for information without staples. Paper clips, binder clips, and 3-ring binders are acceptable.

Failure to comply fully with this request for information may subject Veolia to an enforcement action under section 113 of the Act, 42 U.S.C. § 7413.

You should direct any questions about this request for information to Charles Hall at (312) 353-3443.

Date

Cheryl L. Newton, Acting Director
Air and Radiation Division

APPENDIX A
Confidential Business Information (CBI)
Assertion and Substantiation Requirements

A. Assertion Requirements

You may assert a business confidentiality claim covering all or part of the information requested in the attached letter, as provided in 40 C.F.R. § 2.203(b). To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document over which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a legend to indicate the intent to claim confidentiality. The stamped or typed legend, or other suitable form of notice, should employ language such as "trade secret" or "proprietary" or "company confidential" and indicate a date if any when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by the U.S. EPA only to the extent permitted and by means of the procedures set forth by Section 114(c) of the Clean Air Act (the Act), and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise nonconfidential documents should be clearly identified. U.S. EPA will construe the failure to furnish a confidentiality claim with your response to the attached letter as a waiver of that claim, and the information may be made available to the public without further notice to you.

Please segregate personnel, medical and similar files from your responses and include that information on separate sheet(s) marked as "Personal Privacy Information" given that disclosure of such information to the general public may constitute an invasion of privacy.

B. Substantiation Requirements

All confidentiality claims are subject to U.S. EPA verification and must be made in accordance with 40 C.F.R. § 2.208 which provides in part that you satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; and that the information is not and has not been reasonably obtainable by legitimate means without your consent.

Pursuant to 40 C.F.R. Part 2, Subpart B, U.S. EPA may at any time send you a letter asking you to substantiate fully your CBI claim. If you receive such a letter, you must provide U.S. EPA with a response within the number of days set forth in the U.S. EPA request letter. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and U.S. EPA may release the information. If

you receive such a letter, U.S. EPA will ask you to specify which portions of the information you consider confidential. **You must be specific by page, paragraph, and sentence when identifying the information subject to your claim.** Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being subject to CBI, you must answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a specified event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to U.S. EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question #1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available material such as the Internet, publicly available databases, promotional publications, annual reports, or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to the confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, explain with specificity why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?
7. Do you assert that the information is submitted on a

voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to U.S. EPA of similar information in the future.

8. Any other issue you deem relevant.

Please note that emission data provided under Section 114 of the Act, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2. "Emission data" means, with reference to any source of emission of any substance into the air-

Information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including, to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A), (B) and (C).

Emission data includes, but is not limited to, service records stating the amount of refrigerant added to a unit or reclaimed from a unit.

If you receive a request for a substantiation letter from the EPA, you bear the burden of substantiating your confidentiality claim. Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by U.S. EPA only to the extent allowed by, and by means of the procedures set

forth in, 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

APPENDIX B

Veolia must submit the following information regarding Incinerator 2 and Incinerator 4 located at 7 Mobile Avenue, Sauget, Illinois in accordance with the foregoing request for information made pursuant to Section 114(a) of the Clean Air Act, 42 U.S.C. § 7414(a) and 40 C.F.R. § 63.1209(g)(2) of the HWC MACT.

1. Within 30 days of receiving this request, Veolia must install, calibrate, operate and maintain a continuous differential pressure monitor across each module of the Unit 2 Fabric Filter.
2. Veolia shall submit a copy of the specifications for the differential pressure monitors and a copy of the work order for the installation within 15 days of completion.
3. Veolia shall continuously display the differential pressure across each module on one of the Unit 2 operator's screens.
4. Veolia shall continuously record the pressure drop across each module and retain the data for 5 years.
5. During the first particulate matter performance test after the pressure monitors are installed, Veolia shall establish and comply with minimum and maximum differential pressure across each fabric filter module operating parameter limits (OPL) as the hourly rolling average limit as the average of the test run averages.
6. Veolia shall interlock the differential pressure of the fabric filter modules to the automatic waste feed cut off (AWFCO) system to activate the AWFCO system when the differential pressure across the spare module is not equal to 0.0 inches of water column.
7. Veolia shall revise its Documentation of Compliance required by 40 C.F.R. § 63.1211(c) of the HWC MACT and its Notification of Compliance required by 40 C.F.R. §§ 63.1207(j) and 63.1210(d) of the HWC MACT to include the differential pressure monitoring OPLs.
8. Veolia shall calibrate the Unit 4 activated carbon injection system no less than every 28 days commencing 7 days after Veolia receives this letter. During each calibration, Veolia shall measure the amount of activated carbon injected during three 1-minute periods, calculate the corresponding hourly injection rate to the nearest one tenth of a pound per hour (0.1 lb/hr). The accuracy of the injection rate

relayed to the Unit 4 operator's display (the displayed injection rate) must be ± 0.1 lb/hr of the calculated injection rate.

9. Veolia shall record each calculated injection rate, the displayed injection rate, and the adjustments, if any, that Veolia made to bring the displayed injection rate into accord with the calculated injection rate. Veolia shall include the date of each calibration.
10. Veolia shall report all carbon injection rate calculations and data to EPA and Illinois EPA-Springfield within 7 days of the calibration.

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Request to Provide Information Pursuant to the Clean Air Act by Certified Mail, Return Receipt Requested, to:

Douglas Harris
General Manager
Veolia ES Technical Solutions, LLC
7 Mobile Avenue
Sauget, Illinois 62201

I also certify that I sent a copy of the Request to Provide Information Pursuant to the Clean Air Act by First Class Mail to:

Ray Pilapil, Manager
Compliance and Enforcement Section Bureau of Air
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Springfield, Illinois 62702

on the _____ day of _____ 2008

Loretta Shaffer, Secretary
AECAS (MN-OH)

Certified Mail Receipt Number: _____

standard bcc's: Official File Copy w/enclosure(s)
 Section Reading File w/o enclosure(s)
 Branch Reading File w/o enclosure(s)

other bcc's:

Creation Date:	July 27, 2015
Filename:	C:\EPAWORK\WasteCombustion\HazWaste\Sources\ Veolia\114Letter080919.doc
Legend:	ARD:AECAB:AECAS(MN/OH):c.hall

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

DATE:

SUBJECT: Justification for Issuing a Request for Information to
Veolia ES Technical Solutions, LLC, Sauget, Illinois

FROM: Charles Hall, Environmental Engineer
MN/OH Air Enforcement and Compliance Assurance Section

THRU: William L. MacDowell, Chief
MN/OH Air Enforcement and Compliance Assurance Section

TO: Jane D. Woolums, Associate Regional Counsel
Office of Regional Counsel

The attached Request for Information requires Veolia ES Technical Solutions, LLC (Veolia), to monitor the pressure drop across each module of Unit 2's fabric filter and to calibrate Unit 4's activated carbon injection system no less than every 28 days.

Background and Reasons for 114 request.

Questions 1, 2, 3, and 4

On August 11, 12, and 13, 2008 Veolia conducted a performance test on Unit 2 to measure the emissions of arsenic, beryllium, chromium, cadmium, lead and mercury. Unit 2 has a fabric filter with four modules. Veolia keeps one module off-line as a spare in case an operating problem arises with one of the other modules. Veolia controls the flow into and out of each module with a butterfly valve at the inlet and outlet of each module. The inlet valve is attached to a sprocket which Veolia can move with a chain. The outlet valve is attached to a pneumatic arm which Veolia can move with compressed air. During the Unit 2 performance test, Veolia believed that the valves for the spare module were completely closed. However, after Veolia examined the preliminary results,¹ Veolia discovered that the inlet and outlet valves were slightly open instead of completely closed. The Unit 2 operator's display indicates whether the outlet valve is open or closed; however, the display does not indicate any increments between fully open and fully closed. Veolia also discovered that between 5 and 20 bags were missing from the spare

¹ The average combined arsenic, beryllium, and chromium concentration was 59.5 micrograms per dry standard cubic meter corrected to 7% oxygen ($\mu\text{g}/\text{dscm}$ @ 7% O₂); the average combined cadmium and lead concentration was 238 $\mu\text{g}/\text{dscm}$ @ 7% O₂; and the average mercury concentration was 57.0 $\mu\text{g}/\text{dscm}$ @ 7% O₂.

module. (Veolia's General Manager has mentioned numbers between 5 and 20 bags; I do not know exactly how many were missing.) Veolia monitors the pressure drop across the entire baghouse, not each module. Veolia installed and operates a baghouse leak detection system (BLDS) as 40 C.F.R. § 63.1206(c)(8) requires. Neither the differential pressure monitor nor the BLDS gave any indication that the butterfly valves on the spare module were slightly open or that bags were missing from the spare module.

EPA concludes that Veolia needs to monitor additional parameters to assure EPA that Veolia does not repeat this monitoring is

Questions 7, 8, and 9

The National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors, 40 C.F.R. Part 63, Subpart EEE (hereinafter, "the HWC MACT") requires Veolia to verify the calibration of its activated carbon injection system on Unit 4 "at least once each calendar quarter at a frequency of approximately 120 days." On August 21, 22, and 23, 2008, Veolia conducted a performance test on Unit 4 to measure the emissions of arsenic, beryllium, chromium, cadmium, lead and mercury. The most recent ACI system calibration before the test started

Veolia calibrated its ACI system on _____, 2008. The carbon injection rate was 6.2 pounds per hour (lbs/hr). After the first run of a performance test on Unit 4, on August 21, 2008, at the request of EPA personnel, Veolia checked the calibration of the ACI system. The average carbon injection rate was 6.2 lbs/hr.² The Unit 4 operator's display reported that the carbon injection rate was 6.5 lbs/hr (a 4.8% difference). EPA concludes that more frequent calibration is necessary to verify that the calculated carbon injection rate is equal to the displayed carbon injection rate.

Question 7 requires Veolia to calibrate the ACI system no less than every 28 days. Question 8 requires Veolia to record specific information pertaining to the calibration. Question 9 requires Veolia to report the information to EPA and the Illinois Environmental Protection Agency office in Collinsville, Illinois.

Veolia **is not** a Performance Track member.

² Calibration procedure: Veolia disconnects the activated carbon supply from the injection system; collects the activated carbon dispensed from the supply for 1 minute; measures the dispensed activated carbon; and calculates the 1-hour activated carbon injection rate. Veolia measures the dispensed carbon and calculates the 1-hour rate three times. Veolia calculates the average of the three trials.

By making this request under Section 114 of the Clean Air Act, Veolia will certify that the information is true, accurate, and complete.